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4 **UNITED STATES DISTRICT COURT**  
5 **EASTERN DISTRICT OF CALIFORNIA**  
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8 ALLEN HAMMLER,  
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Plaintiff,

10 v.  
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STATE OF CALIFORNIA, et al.,  
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Defendants.  
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1:20-cv-00630-DAD-GSA-PC

**ORDER DENYING PLAINTIFF'S MOTION  
FOR COURT ORDER AS PREMATURE**

**(ECF No. 17.)**

14 Allen Hammler ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis*  
15 with this civil rights action pursuant to 42 U.S.C. § 1983. On May 5, 2020, Plaintiff filed the  
16 Complaint commencing this action. (ECF No. 1.)

17 On July 6, 2020, Plaintiff filed a motion for a court order requiring defendants to show  
18 cause why Plaintiff's motion for preliminary injunctive relief, filed on May 18, 2020, should not  
19 be granted. (ECF No. 17.) Plaintiff's motion for a court order directed to defendants is premature  
20 because to date none of the defendants have appeared in this action. Therefore, Plaintiff's motion  
21 shall be denied as premature.

22 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for a court order, filed  
23 on July 6, 2020, is DENIED as premature.

24 IT IS SO ORDERED.  
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26 Dated: July 7, 2020

/s/ Gary S. Austin

27 UNITED STATES MAGISTRATE JUDGE  
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